

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES,

Petitioner,

v.

A 46.175 ACRE TRACT OF LAND,
MORE OR LESS,

Respondent.

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Civil Action No. SA-12-CV-508-XR

FINAL ORDER

On this date, the Court considered the status of the above captioned case and the United States' Motion to Dismiss Verified Complaint for Forfeiture (Docket no. 183), which is hereby GRANTED.

On October 31, 2016, this Court issued an Amended Order for the Sale of the Respondent Real Property. Docket no. 180. That order, issued after a hearing held that day, set forth the terms for the sale, a deadline for the sale, and the distribution of the proceeds for the sale. *Id.* It also provided that, upon consummation of the sale, the parties were to notify the Court, at which point the Court would enter an Order of Dismissal of the Verified Complaint for Forfeiture as moot and deny CPDP's Motion to Determine the Bank Loan Payoff for lack of jurisdiction over the Respondent Real Property (Docket no. 139). *Id.*

On November 8, 2016, CPDP notified the Court that the sale had occurred as ordered. Docket no. 182. In addition, the Clerk's Office notified the Court that it had received a check in the approximate amount of \$1,200,000.00 from CPDP to be placed into the Registry of the Court, as was ordered in the Amended Sale Order. This check represents the disputed amount of the sale

proceeds that PlainsCapital Bank asserts it is owed beyond the payment it will receive in connection with the sale.

It is hereby ORDERED that the Clerk, United States District Court, as soon as the business of the office allows, shall deposit these monies into the Court Registry Investment System (CRIS), where they shall remain until further order of the Court.

It is further ORDERED the United States' Motion to Dismiss (Docket no. 183) is GRANTED. The Verified Complaint for Forfeiture (Docket no. 1) is DISMISSED as moot. Additionally, CPDP's Motion to Determine Bank Loan Payoff (Docket no. 139) is DENIED because the Court no longer has jurisdiction over the Respondent Real Property. All remaining deadlines and settings, including trial, are hereby VACATED.

It is so ORDERED.

SIGNED this 9th day of November, 2016.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE